

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

CIVIL ACTION NO. 05-11832-GAO

RONNIE JONES, RICHARD BECKERS, WALTER R. WASHINGTON,
WILLIAM E. BRIDGEFORTH, SHAWN N. HARRIS, EUGENE WADE,
GEORGER C. DOWNING, JR., CLARARISE BRISTOW and the
MASSACHUSETTS ASS'N OF MINORITY LAW ENFORCEMENT
OFFICERS,

Plaintiffs,

v.

CITY OF BOSTON, BOSTON POLICE DEPARTMENT and KATHLEEN
O'TOOLE as she is Commissioner of the Boston Police
Department.

Defendants.

DEFENDANTS' MOTION (WITHOUT OBJECTION)
TO ENLARGE TIME TO FILE RESPONSIVE PLEADINGS
PURSUANT TO FED.R.CIV.P. 6(B).

NOW COME the Defendants, who respectfully move this Honorable Court pursuant to Fed. R. Civ. P. 6(b) for an extension of time to file responsive pleadings. As grounds for this motion, the Defendants state that:

1. The Defendants removed this action to this Court on Friday, September 9, 2005, and responsive pleadings are due by rule on Wednesday, September 14, 2005;
2. Undersigned counsel was informed on September 13, 2005, that the Defendants may appoint outside counsel to represent them in this matter and that a decision regarding same is expected on Friday, September 16, 2005;
3. The Defendants prefer that counsel who ultimately handles the above-entitled action have the opportunity to make responsive pleadings on their behalf. In the event that new counsel is appointed, said counsel will require additional time to investigate the Complaint and draft responsive pleadings;


4. The Plaintiffs do not object to the Defendants' request for more time to file responsive pleadings (see attached Rule 7.1 Certificate);
5. The Defendants request an extension until September 30, 2005, to file responsive pleadings; and,
6. Allowing this motion will not prejudice any party to the action and permitting the Defendants an extension to file responsive pleadings to Plaintiffs' Complaint will further the interests of justice.

WHEREFORE, the Defendants respectfully request that this Honorable Court allow their motion to extend time to file responsive pleadings, and set the date for filing of responsive pleadings on or before September 30, 2005.

Respectfully submitted,
DEFENDANTS, CITY OF BOSTON, BOS' I
POLICE DEPARTMENT and KATHLEEN
O'TOOLE

Merita A. Hopkins
Corporation Counsel

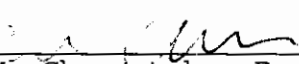
By their attorneys:


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CERTIFICATION OF CONFERENCE

Pursuant to Local Rule 7.1(2), undersigned counsel for the Defendants states that he has conferred with counsel for the Plaintiffs by providing a draft of the foregoing motion, and that Rheba Rutkowski, Esq. counsel for the Plaintiffs, has indicated on this day that the Plaintiffs do not oppose this motion.




James M. Chernetsky, Esq.
BBO# 638152
Assistant Corporation Counsel
City of Boston Law Department
Room 615, City Hall
Boston, MA 02201
(617) 635-4048

9.13.05

Date

CERTIFICATE OF SERVICE

I hereby certify that on this day, I served upon counsel of record for the Plaintiffs a true and complete copy of the foregoing motion, via U.S. Mail, to 150 Federal Street, Boston, Massachusetts.



James M. Chernetsky, Esq.



Date